

**Committee Report****Date: 07.12.2022****Item Number 04****Application Number 22/00094/OUTMAJ****Proposal Outline application for the demolition of existing dwelling and erection of 33 apartments for over 55's, including ancillary accommodation and parking with details of access, appearance, layout and scale included (resubmission of application 20/00092/OUTMAJ)****Location Craiglands Hillylaid Road Thornton Cleveleys Lancashire FY5 4EB****Applicant Mr S O Toole****Correspondence Address c/o Mr David Morse  
195 County Road Liverpool L4 5PB undefined****Recommendation Permit****REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Mr Rob McKillop**

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**1.0 INTRODUCTION**

1.1 This application is before Members of the Planning Committee as it is a resubmission of the previous application (20/00092/OUTMAJ) which was determined by Planning Committee at the request of Councillor Minto on the 28th April 2021. A site visit is recommended to enable members to understand the site context beyond the plans submitted and site photographs taken by the case officer.

**2.0 SITE DESCRIPTION AND LOCATION**

2.1 The application site is located on the northern side of Hillylaid Road and is currently occupied by a detached dwelling with a large residential curtilage. The site measures 0.25 hectares in area and is surrounded by residential properties, although there is a footpath along the eastern boundary and a group of trees and small open grassed area adjacent to the northern boundary. There is a hedgerow along the front boundary to Hillylaid Road with an existing gated access. The site is within the settlement boundary to Thornton Cleveleys and lies within Flood Zone 3. A Tree Preservation Order (TPO) relates to a small number of trees in the south eastern corner of the site.

### **3.0 THE PROPOSAL**

3.1 This application is a resubmission of application 20/00092/OUTMAJ and seeks outline planning consent for the demolition of the existing dwelling and erection of 33 apartments for over 55's. Details of access, appearance, layout and scale are included for consideration. Landscaping would need to be agreed via a future reserved matters application. The proposed 3-storeys building would have a rectangular footprint and would have a series of front facing gables with large windows in the front elevation. The building would be set centrally within the site with parking to the front and a new access proposed centrally in the front boundary on to Hillylaid Road.

3.2 The following documents have been submitted in support of the application:

- Design & Access Statement
- Bat Roost and Emergence Surveys
- Great Crested Newt Survey
- Flood Risk Assessment
- Flood Risk Sequential Test
- Financial Viability Appraisal

### **4.0 RELEVANT PLANNING HISTORY**

4.1 The site has the following relevant planning history:

4.2 20/00092/OUTMAJ: Outline application for the demolition of existing dwelling and erection of 33 apartments for over 55's, including ancillary accommodation and parking with details of access, appearance, layout and scale included. Refused by the Planning Committee on the 28.04.2021 for the following reasons:

"The proposal would fail to provide adequate on-site parking, which would result in vehicles parking on and obstructing the highway, causing problems with road safety and the safe movement of all highway users on Hillylaid Road which is a bus route. Therefore the proposal would be contrary to policies SP2 and CDMP6 of the Wyre Local Plan (2011-31) and the NPPF".

"The proposal, by reason of the scale and massing of the building, would be out of keeping with the streetscene character of the area. Therefore the proposal would be contrary to policies SP2 and CDMP3 of the Wyre Local Plan (2011-31) and the NPPF".

An appeal was submitted to the Planning Inspectorate and was dismissed on the 23/11/2021. A separate partial award of costs was also allowed.

### **5.0 PLANNING POLICY**

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

5.1.1 The Wyre Local Plan 2011-2031 (WLP31) was adopted on 28 February 2019 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the

decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

5.1.2 The following policies contained within the WLP 2031 are of most relevance:

- SP1 - Development Strategy
- SP2 - Sustainable Development
- SP6 - Viability
- SP7 - Infrastructure & Developer Contributions
- SP8 - Health and Well-being
- CDMP1 - Environmental Protection
- CDMP2 - Flood risk and Surface water
- CDMP3 - Design
- CDMP4 - Environmental Assets
- CDMP6 - Accessibility and Transport
- HP2 - Housing Mix
- HP3 - Affordable Housing
- HP9 - Green Infrastructure

5.1.3 In accordance with the National Planning Practice Guidance (PPG) and National Planning Policy Framework (NPPF) Para 74, the council must be able to demonstrate a 5 year housing land supply position (with a 5% buffer) when dealing with applications and appeals. The latest available evidence on housing delivery is that set out in the council's Housing Implementation Strategy (published August 2022) which demonstrates a deliverable housing land supply position of 6.74 years. The council's position therefore is that it is able to demonstrate a deliverable 5 year housing land supply.

## 5.2 EMERGING LOCAL PLAN PARTIAL REVIEW

5.2.1 A Publication version of the Wyre Local Plan Partial Review underwent a public consultation between 30 November 2021 and 18 January 2022. The Submission draft Wyre Local Plan Partial Review 2011-2031 (WLPPR31) was approved for submission to the Secretary of State for examination on 15 April 2022 and approved for Development Management purposes. Presently the Submission draft WLPPR31 forms a material consideration of limited weight in the consideration of planning applications.

## 5.3 OTHER MATERIAL CONSIDERATIONS

5.3.1 The revised National Planning Policy Framework (NPPF) sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in the 2021 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

5.3.2 The following sections / policies set out within the NPPF are relevant to the determination of this application:

- Chapter 2 - Achieving sustainable development
- Chapter 4 - Decision-making
- Chapter 5 - Delivering a sufficient supply of homes
- Chapter 6 - Building a strong, competitive economy
- Chapter 8 - Promoting healthy and safe communities

Chapter 9 - Promoting sustainable transport  
Chapter 12 - Achieving well-designed places  
Chapter 15 - Conserving and enhancing the natural environment

#### 5.4 OTHER GUIDANCE AND LEGISLATION

##### 5.4.1 National Planning Practice Guidance (NPPG)

##### 5.4.2 Wyre Supplementary Planning Guidance 4 - Spacing Guidelines for New Housing Layouts

##### 5.4.3 Wyre Flood Risk Sequential Test Guidance: Advice Note for Applicants

##### 5.4.4 The Conservation of Habitats and Species Regulations (amendment) (eu exit) 2019

##### 5.4.5 The Wildlife and Countryside Act 1981 (as amended)

### 6.0 CONSULTATION RESPONSES

#### 6.1 ENVIRONMENT AGENCY

##### 6.1.1 No objections subject to mitigation in the FRA.

#### 6.2 GREATER MANCHESTER ECOLOGY UNIT

##### 6.2.1 No objections subject to conditions.

#### 6.3 LANCASHIRE COUNTY COUNCIL (EDUCATION)

##### 6.3.1 No response received.

#### 6.4 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

##### 6.4.1 No objections subject to conditions.

#### 6.5 LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY)

##### 6.5.1 No response received.

#### 6.6 NHS FYLDE & WYRE CLINICAL COMMISSIONING GROUP (CCG)

##### 6.6.1 No objections subject to financial contribution towards Thornton Medical Centre.

#### 6.7 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

##### 6.7.1 No objections.

#### 6.8 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - LAND CONTAMINATION)

##### 6.8.1 No objections subject to conditions.

## 6.9 WBC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (TREES)

6.9.1 No objections although existing conifers to the NE boundary may require management and new tree planting would be welcomed.

## 6.10 UNITED UTILITIES

6.10.1 No objections subject to conditions.

## 7.0 REPRESENTATIONS

7.1 At the time of compiling this report there has been 32 neighbour representations have been received all of which object to the proposal. The primary reasons for opposition are:

### 7.1.1 Highways

- Development will contribute to traffic in Thornton - a "full week" traffic survey is required;
- The access is opposite and bus stop and visibility is inadequate;
- The development will lead to vehicles parking or waiting opposite the site on Hillylaid Road with safety implications, particularly pedestrians - double yellow lines are required;
- Widening the pavement will reduce safety for pedestrians, cyclists and wheelchair users;
- The development has a shortfall of parking spaces in conflict with the Wyre/LCC standards;
- Car ownership is still high within this demographic and the conclusions are ageist;
- The developer is emboldened by the appeal decision, however the application should still be refused;
- More bins are likely to be required although there is insufficient provision on the plan - the arrangements will also present difficulty for collection;

### 7.1.2 Visual and Amenity

- The building is too large and inappropriate in this location - this conflicts with National Planning Policy which states development should be sensitive to the characteristics of the area;
- There would be a loss of visual amenity, natural light and good air quality which are protected via the Human Rights Act;
- Nearby properties will be overlooked by the 1st and 2nd floor apartments;
- The building will be overbearing and overshadowing with a poor outlook;
- Surrounding homes will depreciate in value;

### 7.1.3 Flooding/Drainage/Ground Conditions

- A soil survey is required to check land is stable - given the scale of the building, piles/foundations are more likely to collapse;
- The area is subject to flooding and this site allows for drainage from surrounding land - development will increase flood risk, particularly if land levels are raised;

- Works and foundations will lead to increased flooding - this will increase insurance costs for neighbours given the increased risk and development of a soak-away area;
- The Environment Agency have raised concerns about the Flood Risk Assessment;
- The site was boggy farmland thus hasn't been developed before and should remain as a floodplain and wildlife area - this is not the best use for the land;

#### 7.1.4 Other Matters

- Parts of the Financial Viability Appraisal do not make sense, casting doubt over the rest of the submitted information;
- The Financial Appraisal shows development is unviable would not account for affordable housing and other necessary contributions - the developer has a lack of foresight;
- The development could change any S106 agreement further should they encounter increased building costs with no benefit to local infrastructure;
- The building could seek to convert the roofspace, causing further impacts;
- The impact on boundaries should be considered;
- There would be disruption during construction;

#### 7.1.5 Trees/Ecology/Wildlife

- Trees were unlawfully removed (during bird nesting season) and the application requires removal of the hedgerow for the footpath/visibility. There is no room allocated for landscaping or replanting of trees within the site;
- Protection measures are required for surrounding trees/roots;
- There has been an impact on wildlife (hedgehogs, bats, birds, squirrels, great crested newts) through habitat loss and remaining features are at risk;
- There has been a reduction in bat activity since the mature trees were removed in July 2019 - the bat survey provided is after this and of no value. Approval would encourage others to profit from clearing sites despite the presence of species.

## 8.0 CONTACT WITH APPLICANT/AGENT

- 8.1 The applicant's agent has supplied a viability appraisal during the application and updated plans/documents. Extension of time agreed until 8/12/2022.

## 9.0 ISSUES

- 9.1 The main issues to be considered in the determination of this application are:

- Principle of development and Policy compliance
- Scale, Design and Impacts upon the Character of the area
- Impact on Amenity of neighbouring properties
- Highway safety and parking
- Impacts arising from flood risk and drainage
- Trees
- Ecology
- Housing mix
- Affordable Housing

- Green Infrastructure
- Health care
- Education
- Viability

#### Principle of development and Policy compliance

- 9.2 As set out in paragraph 4.1 of this report this application and proposal was considered by Members of the Planning Committee on the 28th April 2021 and was subsequently refused on the basis that the proposal would fail to provide adequate on-site parking and that by reason of the scale and massing of the building it would be out of keeping with the character of the area contrary to policies SP2, CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).
- 9.3 This decision was appealed by the applicant and dismissed by the Planning Inspector on the sole ground that the appellant had failed to submit an executed Section 106 Legal agreement or undertaking to secure the financial contributions towards affordable housing and healthcare, which as a consequence failed to comply with Policies HP3 and SP8 of the Wyre Local Plan. The Inspector concluded that despite his findings that there was no significant impacts upon highway safety and the impacts upon the character of the area, the harm caused by the lack of adequate contributions caused an overriding concern, and as such the appeal was dismissed. With the exception of the submission of a detailed financial viability assessment (which is addressed within the report) the principle of the development on this site remains unchanged.
- 9.4 In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of this application is the Development Plan which, in this instance, includes the adopted Wyre Local Plan.
- 9.5 The site is within the settlement boundary of Thornton where residential development is acceptable in principle, in accordance Policy SP1 of the Local Plan. Policy SP2 sets out that development should contribute positively to the physical, social, environmental and economic character of the area. The physical/environmental impacts are discussed in the report below. It is considered that the development's location would allow for future occupiers to access local services via walking, cycling and public transport and would therefore score well in terms of social sustainability, and the construction of the building and future population would support the local economy.
- 9.6 On the basis of the above, the principle of the proposed residential development is considered to be acceptable, subject to other material considerations.

#### Scale, Design and Impacts upon the Character of the area

- 9.7 Whilst each application is assessed on its own merits this application is a like for like resubmission of 20/00092/OUTMAJ in terms of the buildings scale, appearance, bulk and massing. Whilst one of the previous reasons for refusal related to the development being out of keeping with the streetscene and the character of the area, the Planning Inspector confirmed in his report that he believed the development would not appear oversized or overdeveloped

within its context and found that the proposed development would not have a harmful effect on the character and appearance of the area. In this instance the observations set out within the appeal do form a material consideration as part of this application and the contents of the decision do contribute to the assessment and planning balance, in this instance it carries substantial weight.

- 9.8 The assessment remains largely unchanged from that of the previous application. Details of scale, layout and appearance are matters applied for. The existing two storey dwelling on the site would be demolished. The proposed building would occupy a significantly larger footprint and would have three storeys. It is considered that this can be accommodated given large site area. The proposed building would be approximately 38m away from the front elevations of bungalows on the opposite side of Hillylaid Road. Some neighbours have observed that the large scale of the building would be out of keeping with surrounding dwellings. The proposed building, whilst larger, would be viewed in a separate context and the separation distances between the bungalows opposite is considered to avoid any significant harmful visual contrast in terms of building heights. The dwellings to the west which back on to the application site would be viewed in a different street scene. There is a footpath with trees to the eastern site boundary, plus there is vegetation along Hillylaid Road which would provide a visual break between the site and properties to the east. There are some three storey apartments to the north of the site, with a group of trees in the intervening land. As such, it is considered that the proposed building, despite its relatively large scale, would not appear as an incongruous feature in views within the surrounding area. The application would note, therefore, have any significantly impact on the character of the area, which is varied in terms of properties, heights and styles.
- 9.9 In terms of appearance, the building would have front facing gables with large windows and would incorporate render, timber cladding, aluminium panelling and aluminium doors/windows. This would result in a relatively contemporary appearance which is considered to be acceptable in this area. The contrast also helps to break up the scale and massing of the building. Details of materials would be secured by condition to ensure that the external finish is of a suitably high quality. The appearance/height was altered to the left hand side of the building under the previous application to reduce massing for this aspect.
- 9.10 Overall, the proposed scale, layout and appearance of the proposed development is considered acceptable and would not result in any unacceptable impacts upon the character of the area including adjacent footpath. The proposal would therefore accord with Policy CDMP3 of the Local Plan and the design requirements set out in the NPPF.

#### Impact on Amenity of neighbouring properties

- 9.11 In terms of physical impacts, the building would face towards bungalows on the opposite side of Hillylaid Road, although the proposed layout would maintain a front to front separation distance of 38m. This would greatly exceed the separation distances in the Council's SPG4 and would not lead to any unacceptable overbearing or overshadowing impacts on opposite neighbours. Furthermore, the proposed front (south facing) windows would



not allow for any significant overlooking impacts by way of the intervening distance.

- 9.12 The dwellings to the west of the site along Caernarfon Close back onto the site and have a shared boundary. A distance of 13m or more would be retained between the rear elevation of Nos.29, 31 & 33 Caernarfon Close to the west facing side elevation of the proposed building. It is considered that the proposed building and layout would accord with the Council's recommended interface distances set out within SPG4. As such, no unacceptable overbearing impacts would arise to neighbours to the west of the site and whilst some overshadowing of gardens may occur, this would only be for a very small part of the morning and would not have any significant impact on the amenity of neighbours to the west.
- 9.13 There are no properties immediately to the north of the site that would be affected by the proposals. A distance of more than 18m would be retained between the proposed eastern side elevation of the building and the rear of Nos.15 & 17 Gravners Field. This would accord with Council's recommended interface distances set out in SPG4 and would not lead to any unacceptable impacts. There are no windows proposed in this facing elevation. The retreated position of the building within the site would not result in any harmful impacts to No.1 Gravners Field which fronts towards Hillylaid Road.
- 9.14 In terms of other concerns raised by neighbours, depreciation of property values is not a material planning consideration. The site is somewhat self-contained, however some noise and disruption is likely during construction. This would be temporary in nature and would not represent a reason to refuse the application. A condition would be added to any permission granted to restrict construction times and impacts on neighbours. In respect of amenity areas, whilst the garden/amenity area is limited to a relatively narrow strip around the building, it is considered that this would still provide some amenity value subject to appropriate landscaping details being agreed at reserved matters stage. It is also noted that the rooms benefit from balconies or large windows which would also provide outdoor connection for residents. On this basis, it is considered that the scheme would have sufficient amenity provision for future occupiers.
- 9.15 Overall, on the basis of the aforementioned considerations, the application would have an acceptable impact on neighbouring amenity and would accord with Policy CDMP3 of the Local Plan (2011-31).

#### Highway safety and parking

- 9.16 A number of public objections raise concerns about highway safety. It is accepted that there would be an increase in vehicle movements, and some additional impacts are likely. LCC Highways have not raised any objections to the proposed development and have confirmed that there would not be a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
- 9.17 In terms of impacts on Hillylaid Road, a new access is proposed centrally within the southern site boundary away from the public footpath (to the eastern boundary). A plan showing appropriate visibility splays in each direction has been provided to ensure sight lines at the site access. The existing site access (with poorer visibility) would be closed. 22 parking

spaces are proposed to the front curtilage of the site. Whilst one parking space would usually be required per unit, it is considered that the location of the site close to local services and bus stops would provide opportunity for future residents to rely on walking or public transport to meet their daily needs. It is noted that the Planning Inspector for Appeal 20/00092/OUTMAJ found the proposed level of car parking, which is the same as the current scheme, to be adequate in the context of the site location and speeds and availability of on-street parking along Hillylaid Road.

- 9.18 A two metre wide footway would be provided along the site frontage so improve pedestrian access. LCC Highways have requested conditions to secure parking, a construction management plan and visibility splays. Mitigation in the form of off-site highway works would be required, including reinstatement of the footpath over the existing access and upgrading of the bus stops near No.11 and No.117 Hillylaid Road. These works are considered necessary to ensure the development has an acceptable impact on highway safety in the vicinity and would be secured via condition should permission be granted. A condition could also secure the provision of cycle parking. Overall, and on the basis of the aforementioned considerations, the application would not result in any unacceptable impact on highways safety and would accord with Policy CDMP6 of the Local Plan and the NPPF.

#### Impacts arising from flood risk and drainage

- 9.19 The application site is located within Flood Zone 3 (High Risk). Concerns were raised by local residents regarding drainage matters. The Council's Drainage Engineer has no objections. A condition would be added to any permission granted for full drainage details to be provided and agreed prior to development in accordance with surface water hierarchy set out in Policy CDMP2 of the Local Plan.
- 9.20 The proposed development is classified as a more vulnerable use. The Environment Agency initially stated the Flood Risk Assessment (FRA) was based on out of date information, however following submission of a revised FRA, the Environment Agency has withdrawn their objection. A condition would be added to any permission for development to take place in accordance with the submitted details, as well as details of management and maintenance of drainage features. Subject to appropriate conditions in respect of flood risk mitigation measures, it is considered that flood risk will not be increased as a result of this development.
- 9.21 Given the position of the site within Flood Zone 3, a sequential test is required for the proposed development. The NPPF (Para 157-159) states that a sequential test must be applied with the aim of steering development to areas with the lowest risk of flooding, and where necessary, the Exceptions Test should be applied. Policy CDMP2 of the Local Plan is in accordance with this stating 'where development is proposed in areas at risk of flooding, unless specifically proposed in this Local Plan, it must be demonstrated the at the Sequential Test has been applied and there are no reasonable available alternative sites at lower risk, considering the nature of the flooding and vulnerability of the development.'
- 9.22 A sequential test has been submitted, although this is the same as that submitted under application 20/00092/OUTMAJ. This covers the whole Wyre Borough area for comparator sites in line with the council's stated

methodology. The submitted sequential test includes consideration of comparator sites that are 10% larger or smaller than the application site in terms of area which would accord with the council's guidance for higher density developments. It has considered the most recent Housing Land Monitoring Report, Strategic Housing Land Allocations Assessment and sites marketed by land agents in a search for comparator sites. Whilst the Sequential Test was considered acceptable under the previous application, it would require updating under the current application to account of any changes in site availability. Subject to updated details being provided that demonstrate that all comparator sites have been reasonably discounted, the application would pass the sequential test. Details will be reported via the Update Sheet prior to the Committee Meeting.

- 9.23 In accordance with the NPPF, where the sequential test has been passed, the exceptions test applies to sites classified as more vulnerable development. For the exception test to be passed it should be demonstrated that the development would provide wider sustainability benefits to the community that outweigh flood risk and the development must be safe for its lifetime taking account of the vulnerability of its users without increasing flood risk elsewhere. The submitted exception test outlines some social and economic sustainability benefits of the development. It asserts that the provision of housing for retired persons in this location is beneficial given the good links to services and public transport, and that there will be economic benefits through construction and supporting local infrastructure and services. Whilst acknowledging that many people aged 55 and over are not retired, officers nonetheless accept the benefits to the development outweigh any flood risk harm. The submitted Flood Risk Assessment (FRA) has been deemed by the Environment Agency to demonstrate that the development will be safe without exacerbating flood risk subject to the proposed flood risk mitigation measures. As such the exceptions test is considered to be passed. Overall, subject to conditions the application is considered to have no unacceptable impact on flooding and drainage and would accord with Chapter 14 of NPPF, the National Planning Policy Guidance 'Flood Risk and Coastal Change and Policy CDMP2 of the Wyre Local Plan.

## Trees

- 9.24 A number of trees/ and shrubs were removed from the site prior to the application being submitted, however the removed trees did not benefit from a Tree Preservation Order. It is accepted that this resulted in some impact on visual amenity and removal of trees in this manner is undesirable. A Tree Preservation Order was subsequently made at the site last year to protect remaining trees of sufficient quality. The Council's Tree Officer has reviewed the application details and has commented that there is limited space for new tree planting in the proposed arrangement. They have also advised that existing conifers to the rear boundary are likely to require management. Whilst landscaping would be assessed in full under any subsequent reserved matters application, it is accepted that the scheme would represent a dense form of development with limited scope for landscaping and open spaces or garden areas. Appeal decision 20/00094/OUTMAJ concluded, amongst other things, that scale of the building would be acceptable and would not represent an overdevelopment at the site. It also found that the development would not result in a harmful impact on the character and appearance of the area. Therefore, despite concerns regarding the lack of space available for

additional landscaping, it is considered difficult to uphold a reason for refusal on this ground.

- 9.25 Protection measures for retained trees and hedges would be secured by way of planning condition should permission be granted. Landscaping would be assessed under any subsequent reserved matters application and significant harmful impact have been identified at this stage.

#### Ecology

- 9.26 Greater Manchester Ecology Unit (GMEU) have advised that the building would require an updated bat survey prior to demolition given the age of the survey submitted. Similarly, the Great Crested Newt survey is technically outdated, however GMEU has advised that given the absence of GCN previously, this is unlikely to have changed and no update is necessary. GMEU has also requested ecological enhancements to be secured as part of a landscaping scheme, and conditions in relation to vegetation removal and invasive species. As the site lies within 3.5km of Morecambe Bay SSSI, SPA and SAC then policy CDMP4 requires the development to provide homeowner information packs highlighting the sensitivities of this designation to future residents. Overall, no ecological objections have been raised by GMEU and subject to suitably worded conditions, it is considered that the application would have an acceptable impact on ecology and protected species.

#### Housing Mix

- 9.27 Policy HP2 of the WLP31 requires new housing developments to widen the choice of housing types available in Wyre by providing a mix of house types and sizes in line with the latest evidence of need as set out in the Strategic Housing Market Assessment (SHMA). In this case this is the May 2018 Addendum 3 Supplementary Note which sets out a need for 38% 1 and 2 beds, 43% 3 beds and 18% 4+ bed units (subject to a consideration of local need and demand). Out of the 33 dwellings proposed, there would be 29 x 1 beds and 4 x 2beds. The mix proposed is not strictly in accordance with the SHMA Mix as it comprises a higher proportion of smaller units and zero 3 and 4 beds. However the provision of smaller properties is generally in line with the overall SHMA evidence and housing strategy. Furthermore it is acknowledged that the type of development would provide housing for Wyre's older population. Therefore the proposed mix in this instance is considered acceptable. Also in compliance with Policy HP2 the proposal will be required to provide adaptable ground floor living accommodation to assist in meeting the needs of the ageing population and people with restricted mobility.

#### Affordable Housing

- 9.28 The majority of the site comprises greenfield land and a 30% affordable housing provision would be required in accordance with Policy HP3. It is noted that vacant building credit for the dwelling to be demolished can be applied. Affordable housing should be provided on-site, aside from where it can be demonstrated that such a provision is not appropriate (and a financial contribution will instead be provided in lieu of an onsite provision). It is accepted that getting a registered provider for affordable housing for this type of accommodation (apartments) would be difficult, and a contribution towards

off-site affordable housing provision is considered acceptable in this instance. As such the development would be required to make an offsite contribution of £273,592.53 towards Affordable Housing, calculated on the proposed number of units and bedrooms.

#### Green Infrastructure

- 9.29 Policy HP9 of the WLP31 requires developments to make appropriate provision of green infrastructure (GI), usually on site. Given the nature of development proposed, in this case an off-site contribution would be considered acceptable in lieu of on-site provision. Based on the number/mix of units, an off-site contribution of £39,093.94 would be sought, and it was previously agreed that this could be used towards improvements at Wyre Estuary Country Park including access and seating. Wyre Estuary Country Park is located 750m from the site, which slightly exceeds the recommended 720m accessibility distance, although this is still considered to be an acceptable resolution.

#### Health Care

- 9.30 To mitigate the impact of this development on local health care facilities, a financial contribution of £12,136 towards the reconfiguration and extension of Thornton medical centre is required. This has been calculated by Lancashire and South Cumbria Integrated Care Board (ICB).

#### Education

- 9.31 Lancashire County Council Education has not responded, however it is considered that as the application would provide accommodation for persons over the age of 55, a contribution towards education would not be required for this demographic in line with their methodology.

#### Viability

- 9.32 Policy SP6 of the Local Plan sets out that the Council's overarching objective is to ensure that development is viable. Where a developer seeks to negotiate a reduction in infrastructure requirements that would normally apply to a development, the council will require the developer to supply a financial appraisal demonstrating the costs to be incurred, the financial return and the profit expected. This is in accordance with the NPPF which requires viability to be a material consideration in decision making. In this instance the applicant advised that the aforementioned contributions would deem the development unviable and subsequently submitted a viability appraisal. This has been reviewed by the Council's independent advisor, financial and property surveyors Keppie Massie (KM).
- 9.33 KM have confirmed that, following costs and revenues, the development is only capable of a nominal contribution of £10,000.00. It is noted that the previous scheme was assessed to be able to meet all the required planning obligations, however the change in position is largely due to increased materials costs. It is considered that the remaining £10,000.00 would be put towards improvements at Wyre Estuary Country Park including access and seating. This contribution would be secured in a section 106 legal agreement.

#### Other Matters

- 9.34 In respect of other matters raised by members of the public, a bin collection area is proposed to the front of the building and would ensure bins are adequately stored and screened from public view. It is considered there is space to pull this further back from the highway to reduce its impact. Full details of location, design and appearance can be secured by condition.
- 9.35 In terms of ownership deeds, the submitted details indicate the site is owned by the applicant. Any land ownership dispute would be a matter for the respective parties and would not be considered under this planning application.

## **10.0 CONCLUSION**

- 10.1 The application site is within the settlement boundary of Thornton where residential development is acceptable in principle. The application would not result in unacceptable impacts in respect of design, residential amenity, highways safety, flooding, drainage, trees and ecology. The shortfall in financial contributions has to be given weight in the balancing process of this application however the substantial benefits arising from the scheme are considered to outweigh this matter. All other material impacts have been assessed and found to be acceptable and overall, subject to conditions and a legal agreement, the proposed development is considered to be acceptable.

## **11.0 HUMAN RIGHTS ACT IMPLICATIONS**

- 11.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.
- 11.2 ARTICLE 1 - of the First Protocol Protection of Property has been considered in coming to this recommendation.

## **12.0 RECOMMENDATION**

- 12.1 Grant outline planning permission subject to conditions and a S106 Legal Agreement to secure a reduced financial contribution towards Green infrastructure. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the S106 agreement.

### **Recommendation: Permit**

#### **Conditions: -**

1. In the case of any reserved matter, namely landscaping, of the development, an application for approval must be made before the expiration of three years beginning with the date of this permission; and that the development hereby permitted shall be begun not later than:  
the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This condition is required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 01.02.2022 including the following plans/documents:

- Location Plan Drg No.JBA404-PL-001;
- Proposed Site Plan Drg No.JBA404-PL-005 Rev C;
- Proposed Ground Floor Plan Drg No.JBA404-PL-006 Rev B, received by the LPA on 02.03.2022;
- Proposed First Floor Plan Drg No.JBA404-PL-007;
- Proposed Second Floor Drg No.JBA404-PL-008 Rev A;
- Proposed Roof Plan Drg No.JBA404-PL-009 Rev A;
- Proposed South Facing Front Elevation Drg No.JBA404-PL-010 Rev B;
- Proposed West Facing Side Elevation Drg No.JBA404-PL-011 Rev C;
- Proposed North Facing Rear Elevation Drg No.JBA404-PL-012 Rev B;
- Proposed East Facing Side Elevation Drg No.JBA404-PL-013 Rev A;
- Proposed Drainage Plan Drg No.PL014 Rev A;
- Proposed Site Highways Plan Drg No.JBA404-PL-015 Rev B, received by the LPA on 28.09.2022.

The development shall be retained hereafter in accordance with this detail.

Reason: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

3. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of that building (including the external walls, roof, and windows) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

4. Prior to the commencement of development, a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in Policy CDMP2 of the Adopted Local Plan 2011-31 or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan.

The scheme details shall include, as a minimum:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change as set out within the Environment Agency's advice on Flood risk assessments: climate change allowances' or any subsequent replacement EA advice note), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;

- b) Demonstration that the surface water run-off would not exceed the pre-development greenfield runoff rate;
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

For the avoidance of doubt, surface water must drain separate from the foul and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

No part of the development shall be first occupied or brought into first use until the drainage works and levels have been completed in accordance with the approved scheme. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework. The condition is required to be approved prior to commencement of development to ensure that full details are provided to ensure a suitable form of drainage is provided in that specific area taking into consideration land conditions and proximity to existing services and to ensure that any proposed raising of levels can be assessed and that a coherent approach is taken with regard to the design of drainage and housing layout.

5. Prior to the commencement of development details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, this shall include:
  - a) The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Residents' Management Company
  - b) Arrangements concerning appropriate funding mechanisms for the on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
    - i. on-going inspections relating to performance and asset condition assessments



- ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.

The development shall subsequently be completed, maintained and managed in accordance with the approved sustainable drainage management and maintenance plan.

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the flood risk to the development as a result of inadequate maintenance; and to identify the responsible organisation/ body/ company/ undertaker for the sustainable drainage system in accordance with policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

6. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Version 2 - dated July 2020 by Amber Planning) and the FRA Addendum (dated June 2022 by Enviro Solution), and the following mitigation measures detailed within the FRA:

1. Raising of finished floor levels to 600mm (5.60m AOD) above the surrounding ground level;
2. Flood resilient construction to a height of 1.2m above surrounding ground level (6.2m AOD). This to include rendering or tanking of the external walls to prevent ingress via these in the event of flooding and the installation of flood proof air bricks (where fitted) up to the same height;
3. Raising of entry points for all services to a minimum of 600mm above the surrounding ground level, e.g. to 5.60m AOD;
4. Orientation of entry points away from the direction of flooding e.g. no entry points present on north eastern elevation;
5. All entry points at ground floor level to comprise flood doors / flood windows;
6. Provision of a muster point / safe refuge space situated at first floor level or above and capable of accommodating all ground floor residents for up to 2 no. high water tides (12 hrs - 14hrs); and
7. Non return valves to be fitted on all ground floor toilets, sinks and other waste outfalls to prevent backflow / ingress pathways in the event of flooding.

The mitigation measures shall be fully implemented prior to first occupation of any dwelling or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be approved in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CDMP2 of the Wyre Local Plan (2011-31) and the NPPF.

7. Prior to the commencement of development, including any demolition works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include and specify the provision to be made for the following:
- (a) dust and dirt mitigation measures during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
  - (b) control of noise and vibration emanating from the site during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
  - (c) hours and days of demolition / construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturday with no working on Sunday and Bank / Public Holidays
  - (d) contractors' compounds and other storage arrangements
  - (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition / construction period
  - (f) arrangements during the demolition / construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities)
  - (g) the routing of construction traffic and measures to ensure that drivers use these routes as far as is practicable
  - (h) external lighting of the site during the demolition / construction period
  - (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - (j) recycling / disposing of waste resulting from demolition / construction work
  - (k) measures to protect watercourses against spillage incidents and pollution

The construction of the development including any demolition works shall be carried out in accordance with the approved CEMP.

Reason: Such details were not submitted with the application and need to be in place throughout the demolition / construction period in the interests of the amenities of surrounding residents, to maintain the operation and safety of the local highway network, to minimise the risk of pollution and to safeguard the character and appearance of the area in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

8. The visibility splays from the proposed new site access onto Hillylaid Road as shown on approved Drg No.JBA404-PL-015 Rev A Proposed Site (Highways) Plan shall be provided prior to first occupation of any dwelling and shall not at any time thereafter be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

Reason: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

9. No dwelling hereby approved shall be occupied until the parking / turning areas shown on the approved plan Drg No.JBA404-PL-015 Rev A [Proposed Highways Plan] has been laid out, surfaced and drained. The parking / turning areas shall thereafter be retained and maintained and not used for any purpose other than for the parking and manoeuvring of vehicles for communal use only, and no spaces shall be reserved for individual dwellings.

Reason: To ensure that adequate off road parking is provided and retained to serve the development in the interests of highway safety and in accordance with the provisions of Policy CDMP6 of the Wyre Local Plan (2011-31).

10. The car parking and manoeuvring area for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any other development takes place within the site.

Reason: To ensure that satisfactory access is provided to the development site, and that adequate provision is made for deliveries off road, the storage of materials and contracting staff in the interests of highway safety in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

11. Prior to first occupation of any dwelling hereby approved, the off-site works of highway improvements [namely the site access, street lighting, 2m wide footpath along site frontage, upgrading of bus stops near 11 and 117 Hillylaid Road and reinstatement of footway over the existing access which shall be closed permanently] shall be carried out, unless an alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority. The off-site highway works shall be carried out in accordance with any alternative approved timetable for implementation.

Reason: In order to ensure the timely delivery of the necessary off-site highway works in the interests of highway safety / to encourage sustainable travel in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

12. Prior to the commencement of any demolition works, in respect of the existing building, a report which establishes the presence or otherwise of European protected species (defined in the Conservation of Habitats and Species Regulations 2010 or in any statutory instrument revoking and re-enacting those regulations with or without modification) shall be submitted to and approved in writing by the Local Planning Authority. If a European protected species is confirmed to be present the report shall include mitigation measures, including timescales, to avoid and / or mitigate any possible harm to the European protected species. Those mitigation measures shall then be implemented in accordance with the approved details.

Reason: To prevent possible harm to ecology if the development were commenced without the necessary mitigation measures in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the NPPF.

13. No tree felling, tree works or works to hedgerows shall take place during the optimum period for bird nesting (March to August inclusive) unless a report, undertaken by a suitably qualified person immediately prior to any clearance, has been submitted to and approved in writing by the Local Planning

Authority, demonstrating that nesting / breeding birds have been shown to be absent.

Reason: To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of the NPPF.

14. Prior to the installation of any external lighting a scheme for the provision of external lighting together with an Artificial Lighting Assessment shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate that artificial lighting will be designed so that it will not illuminate potential habitat for bats (e.g. hedgerow, trees) and or/ bird breeding places; and shall demonstrate that light intrusion into the windows of any sensitive premises will not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3). The assessment shall demonstrate that the lighting will be installed in accordance with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 and the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009 (or any subsequent replacement guidance).

The lighting shall be installed and operated in accordance with the approved scheme details, which shall be maintained and retained thereafter.

Reason: In order to safeguard biodiversity and residential amenity in accordance with Policies CDMP1, CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

15. Prior to the commencement of development, including any demolition or tree works, an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan for the retained trees shall be submitted to and approved in writing by the Local Planning Authority. This shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing and details of any specialist demolition or construction methods if appropriate.

The measures contained within the approved Arboricultural Impact Assessment, Method Statement and Tree Protection Plan with respect to those trees shown as being retained shall be implemented in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

Reason: In order to protect trees from damage or loss in the interests of the amenity of the area in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981. The details are required to be approved prior to

commencement of development to ensure timely tree protection measures are in place.

16. As part of any reserved matters application, details a Landscape and Habitat Creation and Management Scheme, including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall identify the opportunities for biodiversity enhancement on site including (but not limited to):
- Native tree and shrub planting to mitigate for loss of trees
  - Hedgerow planting / Bolstering of existing hedgerows along site boundaries using native species
  - Bat bricks and/or tubes within the new development
  - Bird Boxes
  - Bat Boxes
  - Assessment and removal of any present invasive species at the site (including rhododendron)

The Landscape and Habitat Creation and Management Scheme shall be carried out in accordance with the approved details.

Reason: Such a scheme was not submitted with the application but is necessary to secure opportunities for the enhancement of the nature conservation value of the site in the interests of ecology and biodiversity in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

17. Prior to first occupation of any dwelling, a scheme for the provision of home-owner information packs highlighting the sensitivity of Morecambe Bay (a European protected nature conservation site) to recreational disturbance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme details shall include the content of the home-owner information packs which must explain the conservation value of Morecambe Bay, the potential impacts that can arise from residential development and explain the responsible behaviours that would be required from residents to avoid undue ecological impact, as well as a methodology for the distribution of the home-owner packs to future home owners including upon resale of the dwellings as far as is reasonably practicable. The approved information packs shall subsequently be made available to future home owners in line with the approved methodology.

Reason: In order to safeguard biodiversity from the recreational disturbance effects of residential development in close proximity to Morecambe Bay, in accordance with the provisions of Policy CDMP4 of the Wyre Local Plan 2011-31.

18. The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved Proposed Site Plan Drg No.JBA404-PL-005 Rev C.

Reason: To ensure that the development has a satisfactory visual impact on the streetscene, a satisfactory impact on neighbouring residential amenity in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

19. No dwelling shall be occupied other than by a person of 55 years of age or over, or as part of a household where at least one person is of 55 years of age or over.

Reason: The application has been assessed on this basis and other impacts would arise through occupation by other demographics requiring further consideration by the Local Planning Authority.

20. Prior to the commencement of development a desk study to investigate and produce an assessment of the risk of the potential for on-site contamination shall be undertaken and submitted to and approved in writing by the Local Planning Authority. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and approved in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented prior to the development of the site. Any changes to the approved scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive end use and insufficient information has been submitted with the application as to the potential contamination risks of the site. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

21. Prior to the first occupation of any dwelling hereby approved, the first floor window in the west facing side elevation serving the landing/corridor shall be:
- i) obscure glazed at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured), and
  - ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

The window(s) (including any subsequent repaired or replacement window) shall be maintained and retained thereafter in accordance with this detail.

Reason: To safeguard the privacy of adjoining residents and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

22. An electric vehicle recharging (EVCP) scheme shall be submitted for all dwellings with parking provision unless it is demonstrated that such provision of EVCP is not practical in communal parking areas or due to other identified site constraints. No dwelling shall be occupied until the electric vehicle recharging point has been provided for the dwelling to which it relates, and such electric vehicle recharging point shall be maintained and retained for that purpose thereafter.

Reason: To ensure the provision of appropriate on-site mitigation to compensate for the impact on air quality caused by the development in the surrounding area in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

23. No development above ground level shall be commenced until details of the location and appearance of cycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, prior to first occupation of any part of the approved development and thereafter maintained and retained.

Reason: In the interests of the appearance of the site and locality, in accordance with policy CDMP3 of the Wyre Local Plan (2011-31). The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application.

24. No development above ground level shall be commenced until details of the refuse storage provision (including location, design and materials of construction) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, prior to first occupation of any part of the approved development and thereafter maintained and retained.

Reason: In the interests of the appearance of the site and locality and the residential amenity of occupants and neighbours, in accordance with Policies CDMP1 and CDMP3 of the Wyre Local Plan (2011-31).

**Reasons: -**

**Notes: -**

1. The applicant should be aware that the decision is subject to a separate legal agreement.